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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICARDO DEL RIO, a California
resident, on behalf of himself, the proposed
class and collective class; JOSE
VALDIVIA, a California resident, on
behalf of himself, the proposed class and
collective class; JOSE PEREIRA, a
California resident, on behalf of himself,
the proposed class and collective class,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC., a
Delaware Corporation, RASIER-CA, LLC,
a Delaware Limited Liability Company,
and DOES 1 through 10, inclusive,

Defendants.

Case No. 3:15-cv-03667-EMC
[Related to 3:13-cv-03826-EMC]

**JOINT STIPULATION TO CONTINUE
SEPTEMBER 15, 2016 STATUS
CONFERENCE TO OCTOBER 18, 2016;
~~PROPOSED~~ ORDER**

Complaint Filed: August 11, 2015
FAC Filed: September 21, 2015
SAC Filed: April 27, 2016
Trial Date: None set

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JOINT STIPULATION TO CONTINUE STATUS CONFERENCE

Plaintiffs Ricardo Del Rio, Jose Valdivia, and Jose Pereira (collectively, “Plaintiffs”), and Defendants Uber Technologies, Inc. and Rasier-CA, LLC (“Uber”) (collectively, the “Parties”), by and through their attorneys of record, hereby stipulate as follows:

WHEREAS, on June 2, 2016, the Court granted a temporary stay, staying this matter in its entirety. The parties were ordered to meet and confer regarding the status of the case and the effect of the Court’s order regarding preliminary approval of the proposed settlement in *O’Connor v. Uber Technologies, Inc.*, Northern District Case No. 13-cv-3826-EMC (“*O’Connor*”), and provide a joint submission to the Court after the order is issued to provide the parties’ position with respect to its impact on the case and whether the stay should continue or be lifted;

WHEREAS, on August 18, 2016, the Court issued an order denying preliminary approval of the proposed settlement in *O’Connor*;

WHEREAS, on August 19, 2016, the Court reset the Further Case Management Conference in this matter from September 9, 2016 to September 15, 2016 at 10:30 a.m.;

WHEREAS, Uber’s counsel is unavailable due to prior commitments on September 15, 2016;

WHEREAS, in *O’Connor*, the Court granted the parties’ stipulation to continue the status conference in that matter, and continued the status conference to October 18, 2016 at 10:30 a.m.;

WHEREAS, the Parties have met and conferred, and agree that, subject to the approval of this Court, because case management decisions in *O’Connor* could impact the proceedings in this matter, the Status Conference in this matter should be continued to October 18, 2016 at 10:30 a.m., and a joint Case Management Statement shall be due by October 11, 2016. Defendants contend the stay should remain in place in light of the ongoing settlement discussions in *O’Connor*. *O’Connor v. Uber Technologies, Inc.*, 13-cv-03826-EMC (C.D. Cal), Dkt. 751. Plaintiffs contend the stay should be lifted in light of the denial of the motion for preliminary approval in *O’Connor*. Plaintiffs have not been invited to attend any mediation or included in any settlement discussions, and therefore, any continued stay appears inappropriate. The parties will be prepared to discuss this with the Court

1 at the CMC, and will submit a proposed schedule in their Joint CMC Statement in the event the
2 Court decides at the CMC to lift the stay.

3 Dated: September 2, 2016.

4
5 /s/ Rachael Lavi

6 ROBERT G. HULTENG
7 ANDREW M. SPURCHISE
8 RACHAEL LAVI
9 LITTLER MENDELSON, P.C.
Attorneys for Defendants
10 UBER TECHNOLOGIES, INC. AND
11 RASIER-CA, LLC

12 Dated: September 2, 2016

13 /s/ Christopher J. Hamner

14 CHRISTOPHER J. HAMNER
15 AMY T. WOOTTON
16 Attorneys for Plaintiffs
17 RICARDO DEL RIO JOSE VALDIVIA and
18 JOSE PEREIRA

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23 **ATTESTATION OF FILER**

24 I, Rachael Lavi, attest that concurrence in the filing of this document has been obtained from
25 each of the other Signatories, which shall serve in lieu of their signatures on the document.

26 Signed this 2nd day of September, 2016.

27 /s/ Rachael Lavi

28 RACHAEL LAVI

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 7, 2016 _____



JUDGE EDWARD CHEN
UNITED STATES DISTRICT COURT

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